IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.4809 OF 2006

United India Insurance Co. Ltd. ...Petitioner.
Vs.
Shri Prakash Tanaji Chautwal & Anr. ...Respondents.

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Mr. R.S. Deshpande for the Petitioner.
None for the Respondents.

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CORAM :DR.D.Y.CHANDRACHUD, J.
July 4, 2007.

P.C.:

An order was passed by the Motor Accident Claims Tribunal on 22nd February 2005 under Section 140 of the Motor Vehicles Act, 1988. A review of the order was sought by the Insurance Company on the ground that the vehicle was not, in fact, insured. The Learned Member of the Tribunal has noted that the question as to whether the Insurance Policy which was placed on the record by the claimant had, in fact, been issued, is a matter which would have to be decided at the final hearing of the claim and the amount directed to be paid by the Insurance Company can be

adjusted in the award that may be passed against the owner. The approach of the Tribunal does not suffer from any error. Hence, no ground for interference has been made out in the exercise of the supervisory jurisdiction under Article 227 of the Constitution of India. The Writ Petition is dismissed.

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